IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)
	)
Barry N. Gellman et al.	) Group Art Unit: 3731
	)
Application No.: 10/798,085	) Examiner: Vi X. NGUYEN
	)
Filed: March 11, 2004	) Confirmation No.: 5328
	)
For: SYSTEM AND METHOD FOR	)
TISSUE SAMPLING AND	) **VIA EFS-WEB**
THERAPEUTIC TREATMENT	)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Applicants thank the Examiner for the Examiner's amendment and statement of reasons for allowance mailed on September 20, 2010. Without withdrawing allowed claims 1, 3-6, 8, 9, 11-18, and 28-33 from issue, Applicants submit these Comments.

The Examiner made characterizations and assertions about the claims and the related prior art in the Examiner's statement of reasons for allowance. Although Applicants agree with the Examiner's ultimate conclusions that the claims are patentable because the prior art does not teach or suggest the claimed features set forth in the claims, Applicants do not necessarily agree with each or every characterization and assertion contained in the Examiner's statement.

Furthermore, it is understood that the Examiner's characterizations were for purposes of referring to the prior art, and do not in any way imply that the claims are limited by words not actually present in the claims. Therefore, unless expressly noted otherwise, Applicants decline to subscribe to any statement or characterization contained in the statement of reasons for allowance.

Applicants respectfully request that these Comments be entered, any extensions of time required to enter the Comments be granted, and any additional required fees not otherwise provided for be charged to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: December 17, 2010   By: _____
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